

Amendment
Serial No. 10/688,560

IN THE DRAWING

Please replace Figure 2 with the replacement sheet

REMARKS

Claims 1-12 are pending. Claims 1-12 are rejected. Claim 1 is an independent claim.

Claim 1 stands objected for omitting the phrase “to be.” In response, applicant has inserted the phrase into the claim. Applicant respectfully requests removal of the objection.

Claims 1 and 7 stand objected for reciting “amplified ASE” although the letter A in acronym ASE stands for “amplified.” According to the Office Action, the term “amplified” is superfluous and unnecessary.

Applicant respectfully submits that the term “amplified” is not a result of a typographical error. As noted in the specification and claim 1, the term is used to describe an ASE that pass through the second-band or L-band pump light source and **further amplified** by the second-band or L-band pumping light source (see page 9, line 4-15 (noting that the third EDF further amplifies the input ASE)). Applicant respectfully submits that the term is not objectionable, and applicant respectfully requests removal of the objection.

Claim 7 stands objected for allegedly omitting a word “coupling.” Applicant has inserted the terms “to output,” as the terms seem to describe applicant’s invention more accurately. Applicant respectfully submits that claim 7 is no longer objectionable, and applicant respectfully requests removal of the objection.

Applicant wishes to thank the Examiner for indicating that claims 1-12 would be allowed if claims 1-12 are amended to comply with the requirements of 35 U.S.C. 112, second paragraph.

In particular, claim 1 stands rejected under 35 U.S.C. 112, second paragraph for allegedly being indefinite. The Office Action indicates that it is unclear whether (1) ASE pumping the second amplifying unit is from the first or third amplifying unit and (2) the ASE pumping the third amplifying unit is from the first or second amplifying unit.

Applicant respectfully submits that claim 1 recites that the second amplifying unit is pumped by an “amplified ASE.” As noted above, such amplified ASE is defined as the ASE **further amplified by and output from the third amplifying unit** contained in the second-band pumping light source. Therefore, applicant respectfully submits that claim 1 clearly recites that the second amplifying unit is pumped by an amplified ASE from the third amplifying unit and that claim 1 complies with the requirements of 35 U.S.C. 112, second paragraph.

With regards to the alleged indefiniteness of the source of the ASE pumping the third amplifying unit, applicant respectfully submits that claim 1 does not recite that the ASE pumps the third amplifying unit. As such, the source of the ASE pumping the third amplifying unit is immaterial to patentability of claim 1, and claim 1 does not violate the requirements of 35 U.S.C. 112, second paragraph.

As claim 1 fully complies with the requirement of 35 U.S.C. 112, second paragraph, applicant respectfully requests removal of the rejection.

Claim 9 stand rejected under 35 U.S.C. 112, second paragraph, for allegedly failing to provide a proper antecedent basis for the “the L-band pumping light source.” In response, applicant has amended claim 3 to recite “the second-band pumping light source is an L-band pumping light source.” Support for the amendment to claim 3 can be found in a comparison of claim 1 and the specification at page 8, line 6 – page 9, line 17, which indicates that the second-band pumping light source and L-band pumping light source refer to the same feature.

Applicant respectfully submits that by amending claim 3 to recite that “the second-band pumping light source is an L-band pumping light source,” a proper antecedent basis for “the L-band pumping light source,” recited in claim 9 has been provided and that claim 9 complies with

Amendment
Serial No. 10/688,560

the requirements of 35 U.S.C. 112, second paragraph. Applicant respectfully requests withdrawal of the rejection.

Claim 12 stands rejected under 35 U.S.C. 112, second paragraph, for allegedly being incomplete. In response, applicant has amended the claim to recite, *inter alia*, “a second wavelength selective coupler for receiving the split C-band optical signal from the first wavelength selective coupler and the secondarily-amplified L-band optical signal from the second circulator, and outputting the received optical signals.”

Support for the amendment can be found in Figure 2 and 3 which shows a second wavelength selective coupler for receiving the split C-band optical signal from the first wavelength selective coupler and the secondarily-amplified L-band optical signal from the second circulator, and outputting the received optical signals. Applicant respectfully submits that claim 12 no longer violate the requirements of 35 U.S.C. 112, second paragraph.


Applicant respectfully submits that claims 1-12 fully comply with the requirements of the 35 U.S.C. 112, second paragraph. As such, applicant respectfully requests early passage of all claims.

Amendment
Serial No. 10/688,560

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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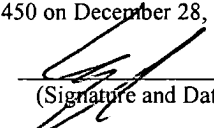
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(Signature and Date)